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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/010,361	11/13/2001	Michael L. Denby	4045-A3	4859

7590

11/13/2002

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EXAMINER

WALSH, JOHN B

ART UNIT

PAPER NUMBER

3676

DATE MAILED: 11/13/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/010,361

Applicant(s)

DENBY, MICHAEL L.

Examiner

John B. Walsh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: In the abstract, line 8 – insert “is” before “capable”.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-19 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,875,662 to Denby et al.

Denby et al. '662 disclose a handle (52) having a key (54); a piston (64) having a bore (88); a cam (74) having a keyway (78), said cam held by a cap (66).

As concerns claims 2, 10 and 16, a protuberance (54a; figure 9, protuberance is on the right portion) carried by the key and a detachably engageable recess (corresponding recess in 78 for the protuberance; said key can be engaged with and detached from the recess) carried by the cam.

As concerns claims 3, 11 and 17, the protuberance is biased into the keyway (user biases the key having the protuberance into the keyway).

As concerns claims 4, 12 and 18, the keyway is disposed off center of the cam (column 3, line 59).

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As concerns claim 5, the piston is attached to a removable part of a bicycle (column 3, line 46; axle is removable from the bicycle).

As concerns claims 6 and 13, the piston is attached to a hub (14).

As concerns claim 7, the hub is attached to a wheel (figure 1).

As concerns claims 8, 14 and 19, the hub is attached to a bicycle frame (figure 1, attached to fork 12).

As concerns claim 9, a handle (52) having a key (54); a piston (64) attached to an axle (57; column 3, line 46) mounted to a hub (14), the piston having a bore (88); a cam (74) having a keyway (78), said cam held by a cap (66); a catch assembly (78).

As concerns claim 15, a handle (52) having a key (54); a piston (64) attached to an axle (57; column 3, line 46) mounted to a hub (14) attached to a bicycle wheel (figure 1), the piston having a bore (88); a cam (74) having a keyway (78), said cam held by a cap (66); a catch assembly (78).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 20-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,878,662 to Denby et al.

Denby et al. '662 disclose a handle (52) having a key (54); a piston (64) having a bore (88); a cam (74) having a keyway (78), said cam held by a cap (66).

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As concerns claims 21, 27, 33 and 37, the keyway is disposed off center of the cam (column 3, line 59).

As concerns claims 22 and 28, the piston is attached to a removable part of a bicycle (column 3, line 46; axle is removable from the bicycle).

As concerns claims 23 and 29, the piston is attached to a hub (14).

As concerns claims 24, 30 and 34, the hub is attached to a wheel (figure 1).

As concerns claims 25, 31, 35 and 38, the hub is attached to a bicycle frame (figure 1, attached to fork 12).

As concerns claims 32 and 36, a handle (52) having a key (54); a piston (64) attached to an axle (57; column 3, line 46) mounted to a hub (14) attached to a bicycle wheel (figure 1), the piston having a bore (88); a cam (74) having a keyway (78), said cam held by a cap (66).

Denby et al. '662 fail to teach a magnetic attraction/engagement between the cam and key.

Brown '804 teaches a magnetic attraction/engagement between a recess on one element and a key/tool (column 2, lines 28-33; column 3, lines 40-42).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the key and cam of Denby et al. '662 with a magnetic attraction/engagement between the two elements, as taught by Brown '804, in order to better retain the two elements in engagement.

Conclusion

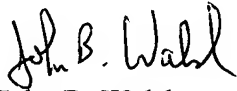
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John B. Walsh whose telephone number is 703-305-0444. The examiner can normally be reached on Monday-Friday from 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 703-308-3179. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-872-9325.


John B. Walsh
Patent Examiner
Technology Center 3670

October 15, 2002